BORA LASKIN LAW LIBRARY
3 1761 03875 6466

SOURCEBOOK

ON

REPRODUCTIVE HEALTH LAW

PROFESSOR R.J. COOK

PROFESSOR B.M. DICKENS

1990-91

FACULTY OF LAW

UNIVERSITY OF TORONTO

LAW LIBRARY

OCT 1 1990

FACULTY OF LAW
UNIVERSITY OF TORONTO

SOURCEBOOK

ON

REPRODUCTIVE HEALTH LAW

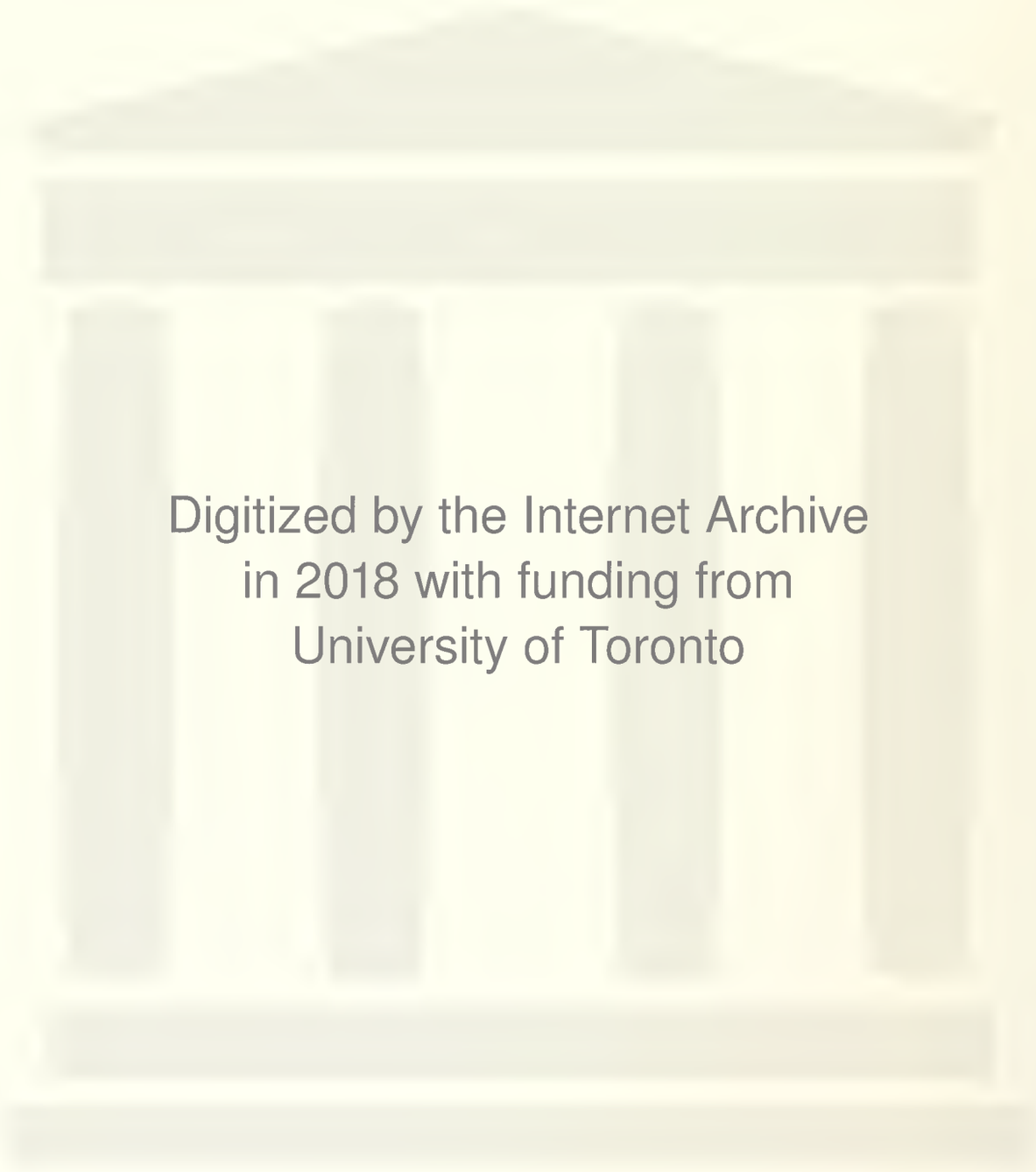
PROFESSOR R.J. COOK

PROFESSOR B.M. DICKENS

1990-91

FACULTY OF LAW

UNIVERSITY OF TORONTO


Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/sourcebookonrepr00cook_4

REPRODUCTIVE HEALTH LAW

TABLE OF CONTENTS

1. INTRODUCTION AND OVERVIEW: REPRODUCTIVE HEALTH IN A GLOBAL PERSPECTIVE

Cook, R.J. and Dickens, B.M. "Ethics and Human Values in Family Planning: Legal and Legislative Aspects" in Proceedings of the XXII CIOMS Conference on Ethics and Human Values in Family Planning, Bankowski, Barzelatto and Capron (eds.) Geneva: CIOMS, 1989 pp. 117-140. 1

Cook, R.J. "Ethics in Family Planning" 1990 Current Science, forthcoming. 13

Cook, R.J. and Haws, J.M. "The United Nations Women's Convention on the Rights of Women: Opportunities for Family Planning Providers" International Family Planning Perspectives 12(2): 49-53 (1986); translated into Spanish and reprinted in Profamilia 3(9 & 10): 10-14 (1987) (also available in Arabic and French). 21

Cook, R.J. "Reducing Maternal Mortality: A Priority for Human Rights Law" in Issues in Human Reproduction, McLean (ed.) UK: Gower Publishers, 1989 pp. 185-212. 28

2. CONTRACEPTION: DEFINITION, LEGAL REGULATION AND ADOLESCENT SERVICES

Dickens, B.M. "Reproduction Law and Medical Consent" 35 University of Toronto Law J. (1985) pp. 255-286. 43

Dickens, B.M. "Adolescents and Medical Care Decisions" 3 Transplantation/Implantation Today (Nov. 1986) pp. 16-22. 60

Cook, R.J. and Maine, D. "Spousal Veto Over Family Planning Services" American Journal of Public Health 77(3): 339-344 (1987); reprinted in The Lawyers 3(7): 56-58 and 3(8): 61-2 (1988); translated into Spanish and reprinted in Profamilia 3(11): 30-38 (1987). 64

3. CONTRACEPTIVE STERILIZATION: MALE AND FEMALE, LEGAL REGULATION AND COMPETENCY

Dickens, B.M. "Retardation and Sterilization" 5 International Journal of Law and Psychiatry (1982) pp. 295-318. 70

Dickens, B.M. "Comparative Law and Legislation on Eugenic Sterilization and Abortion" in F. Vogel and K. Sperling (eds.) Human Genetics, Berlin: Springer-Verlag (1987) pp. 673-682. 94

Dickens, B.M. "Case Comment - Eve v. E. - No parental or parens patriae power to authorize non-therapeutic sterilization of mentally incompetent persons" 2 Can. Family Law Quarterly (1987) pp. 103-117. 104

4. ABORTION: DEFINITION, LEGAL REGULATION, AUTHORIZATION REQUIREMENTS AND PRENATAL DIAGNOSIS

Henshaw, Stanley K. "Induced Abortion: A World Review, 1990" 22 Family Planning Perspectives (1990) pp. 76-89. 112

Cook, R.J. and Dickens, B.M. "International Developments in Abortion Law: 1977-1988" American Journal of Public Health 78(10): 1305-1311 (1988). 126

Cook, R.J. "Abortion Laws and Politics: Challenges and Opportunities" in the symposium edition of the Proceedings of the Christopher Tietze International Conference on Women's Health in the Third World: The Impact of Unwanted Pregnancy, International Journal of Gynecology and Obstetrics Suppl. 3:61-87 (1989); translated into Spanish and reprinted in Quadern Caps: Acogida de la Demanda de Aborto 13: 31-95 (October 1989). 133

Cook, R.J. "International Dimensions of the Department of Justice Arguments in the Webster Case" Law, Medicine and Health Care 17(4): 384-394 (1989). 160

Cook, R.J. "Legal Abortion: Limits and Contributions to Human Life" in Abortion: Medical Progress and Social Implications, Ciba Foundation Symposium 115, London, Pitman (1985) pp. 211-218. 171

Dickens, B.M. "Abortion and Distortion of Justice in the Law" 17 Law, Medicine and Health Care (1989) pp. 395-406. 180

5. FROM ABORTION TO CONTRACEPTION: THE ROLE OF THE LAW

Cook, R.J. "World Health Organization European Regional Conference on Abortion in Europe 1990: A Public Health Approach to Decreasing Abortion and Improving Family Planning Services" Tbilisi, 10-13 October 1990. 192

6. NEW METHODS IN FERTILITY REGULATION INCLUDING ANTIPROGESTINS AND HCG VACCINES

Cook, R.J. "Antiprogestin Drugs: Medical and Legal Issues" Family Planning Perspectives 21(6): 267-272 (1989). 209

Cook, R.J. "The U.S. Export of 'Pipeline' Therapeutic Drugs" Columbia Journal of Environmental Law 12(1) 39-70 (1987). 215

Hardon, Anita "An Analysis of Research on New Contraceptive HCG Vaccines" Women's Global Network for Reproductive Rights Newsletter 29 (April-June 1989) pp. 15-16. 231

Cook, R.J. "A Response to Anita Hardon" Women's Global Network for Reproductive Rights Newsletter, forthcoming 1990. 233

R.J. Cook and Dickens, B.M. "Legal and Ethical Aspects of Development and Use of Fertility Regulation Vaccines" in P.D. Griffin (ed.) WHO Symposium on the Safety and Efficacy of Vaccines, Cambridge University Press, forthcoming 1990. (To be handed out in class).

7. MATERNAL-FETAL CONFLICT

Dickens, B.M. "Maternal-Fetal Conflict" 5 Transplantation/Implantation Today (May 1988) pp. 37-41. 235

Grant, Isabel "Forced Obstetrical Intervention: A Charter Analysis" 39 University of Toronto Law J. (1989) pp. 217-257. 240

8. REPRODUCTIVE HEALTH AND SEXUALLY TRANSMITTED DISEASES INCLUDING AIDS

Dickens, B.M. "Legal Rights and Duties in the AIDS Epidemic" 239 Science (1988) pp. 580-586. 261

Dickens, B.M. "Legal Limits of AIDS Confidentiality" 259 J. American Medical Association (1988) pp. 3449-3451. 268

Dickens, B.M. "Managing AIDS Patients" 5 Transplantation/Implantation Today (Feb. 1988) pp. 33-39. 271

9. INFERTILITY AND ASSISTED REPRODUCTION: PREVENTING INFERTILITY, ENHANCING FERTILITY AND GAMETE AND PRE-EMBRYO DONATION

Cook, R.J. "Ethical and Legal Responses to Infertility" in Proceedings of the 12th World Congress of Gynecology and Obstetrics 1988, 97-105 (1989). 276

Dickens, B.M. "Legislating for the Brave New Children" in B. Landau (ed.) Children's Rights in the Practice of Family Law, Toronto: Carswell (1986) pp. 345-365. 281

Ontario Law Reform Commission, Report on Human Artificial Reproduction and Related Matters, Volume II (1985) pp. 275-285. 292

Dame Mary Warnock, Report of the Committee of Inquiry into Human Fertilisation and Embryology (UK Dept. of Health and Social Security) (1985) pp. 80-86. 298

Dickens, B.M. "Sperm, Ovum and Embryo Translation and Surrogate Motherhood" 2 Transplantation Today (Nov. 1985) pp. 44-49. 302

Dickens, B.M. "Artificial Reproduction and Child Custody" 66 Canadian Bar Review (1987) pp. 49-75. 307

10. IN VITRO FERTILIZATION (IVF)

The Fifth Report of the Interim Licensing Authority for Human In Vitro Fertilisation and Embryology (UK 1990) pp. 45-57. 321

Dickens, B.M. "Modern Issues in In Vitro Fertilization" 7 Transplantation/Implantation Today (May 1990) pp. 25-30. 334

11. SURROGACY

Dickens, B.M. "Enforcement of Surrogate Motherhood Agreements" 4 Transplantation/Implantation Today (May 1987) pp. 17-22. 340

12. CONCLUSION: THE SIGNIFICANCE OF REPRODUCTIVE HEALTH